# **GABLE LINES PLACED** UNDER U.S. COMBINE

Burleson Issues Order and Appoints George G. Ward as Director.

MACKAY PROTESTS ACT

Officials of Commercial Company Deny Need of Almagamation and Refer to Suit.

Acting in accordance with the powers which he considers to have been vested in him by Congress for the control of telegraph and cable lines during the war Postmaster-General Burleson directed yesterday the amalgamation of the marine cable system of the Western Union Telegraph Company and the Commercial Cable Company, naming as director of both George G. Ward, vice-president and general manager of the Commercial company.

Mr. Burleson's order was issue only a few hours after the Commercial company had filed suit in the United States District Court here asking that the Government be enjoined from taking over its system, the company through Charles E. Hughes, its the marine cable system of the company by the Government was and is fllegal, void and ultra vires."

Mr. Ward in a statement last night says it will be impossible for him to accept the cable directorship.

It was understood also in Washington yesterday that Mr. Burleson has in contemplation a unification as well of telegraph lines and that he might direct the consolidation of the lines of the Western Union and Postal Telegraph companies to-day or in a few telegraph lines, it is understood, will be placed under the charge of the managing officer of the Western Union.

#### Burleson Notifies Mackay.

Mr. Burleson's decision in regard to the cable lines was announced by him full force to defendant as well as your in the following message to Clarence H. Mackay, president of the Commercial company:

"The interests of the public service during the present emergency necessitate the unification in operation to the public and the press. It is mani- cation of the cable systems and Gov I have made a survey of the situation and am satisfied that the object sought can best be accomplished by placing the cables with the operating head of the Commercial Cable Company.

"I therefore direct so far as I am authorized by the joint resolution of Congress, under which the cable systems are now controlled by the Gov-ernment of the United States, that Mr. George G. Ward, vice-president of the Commercial Cable Company and who I understand has direct charge of your cable system, assume the management and operation of both the commercial cable system and the cable system operated by the Western nion Telegraph Co.

"I trust that I will have the hearty cooperation of the officials of both cable systems in carrying out these directions. I am sending a copy of this letter

to Mr. Ward, also to Mr. Newcomb Carlton, president of the Western Union Telegraph Company."

#### Mackay and Ward Protest.

The feeling of Mr. Mackay and Mr. Ward as to the necessity and advisability of the Postmaster-General's order was made clear in a letter sent to Mr. Burleson last night by Mr. by Mr. Ward as soon as he had heard from Mr. Burleson. Mr. Mackay tion in the President's proclamation

to-day, which has been given to the newspapers, I beg to say that the most expert cable advice that I have been able to get convinces me that better stice. work can be done by a continuance of present separate management of ground that they were or are necesand successfully for so many years.

"As you doubtless are aware, the States Court in this city to prevent and still are under the absolute conjust such an amaignmation, and I am trol of the officials of the Government assured that the best interests of the and particularly the control of the public will be advanced instead of re-

effect that he could not accept the approval of said Director of Naval directorship offered him. He said: "Nothing can be gained by attempt-ing to operate these two companies

as one. The cables of both companies are already taxed to their utmost and single management of the two could orator's cables, and your orator has not possibly put any more business heartly cooperated in said censorship. think it very desirable to keep up the the Government on your orator in be present competition.

Company, of which I am general manager, filed a bill in equity to-day in the United States Court here in New York to enjoin the Postmaster-General from doing this very thing which he wishes me now to become a party to and of course I cannot do that. The proper and best way is to leave the two companies as they are and let them go on about their business and not try to operate them as one."

#### SWEETSER MADE MAGISTRATE. Appoints Organization

Democrat to Office. Mayor Hylan yesterday appointed William A. Sweetser of 261 Broad-way a city Magistrate, to fill the term of Magistrate Charles N. Harris which ends on June 30 next. Magistrate Harris was also reappointed to succeed Magistrate Charles W. Ap-

Magistrate Sweetser lives at 183 West Eighty-eighth atreet. He is an organization Democrat.

pleton, resigned, for the term expir-

#### Wildcats

In Washington they are talk-ing about regulating issues of securities for the next few years.

They fear that all sorts of wild cat stocks and so-called securi-ties will be issued at high rates of interest to tempt people to trade off their Liberty Bonds.

We advise you to hold on to your Liberty Bonds and for your future savings consider Guar-anteed Mortgages and Guaran-teed Mortgage Certificates.

They pay 5% and are guaranteed by the Bond & Mortgage Guarantee Company. They are for sale at any of our offices. Things that pay better are quite apt to involve the risk of your

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# **MACKAY STARTS** SUIT ON SEIZURE

Continued from First Page

proclamation, in a manner that will cause the Commercial company to lose counsel, claiming that "the selzure of its identity. It is alleged that the affairs of both companies would be come so intermingled that separation would be a hopeless undertaking. The allegations in this regard follow: "That the separate identity, business

and good will of your orator will disappear, so that your orator may be forced or persuaded to abandon competition hereafter and acquiesce in deownership of the same, or an amalgaas assistant and adviser Theodore N. Vail, president of the American Telephone and Telegraph Company, to work out a plan for a 'universal wire service, including all wire communi-cations of the United States, namely, cables, telegraph lines and telephone lines. That all this is and would be in violation of the anti-trust act of Con-

#### orator, now that the war has terminated." Affects Pacific Ocean Cables.

gress of July 2, 1890, which applies in

The complaint contains much that is in answer to statements in exthe fullest extent possible of the cable planation for the Government. It has systems leading from this country to been said that the approaching peace Europe so that the full capacity of all conference und President Wilson's abthe cables may be made available to sence in Europe make necessary unififest that this can only be accom-plished through the operation of the this emergency also required the seiztwo systems under one management, ure of lines in the Pacific Ocean and to South America.

"The transmission of cablegrams for the next few months between America charges to-day from Col. A. B. Sloan and Europe did not and does not the camp commander. They left for justify the seizing of 10,000 miles of their homes on the evening cable from San Francisco to China. The majority were attached to the Japan and the Philippines," it is de-clared, "nor the seizing of two cables for Theodore Berdell, 111 Broadway. down the west coast of South America, Development Battalion, and Major thence over the mountains to the Ar- Arthur Dubois, 901 Lexington avenue, gentine republic; nor the seizing of New York, commander of the Second cables to Cuba and Mexico; nor the Battalion. Among others discharged seizing of thirteen cables across the were: Atlantic. All of said thirteen cables New York-Lieuts. H. P. Sturges, have been and are devoted first to the 116 East Thirty-sixth street; Alextransmission of Government messages ander A. Cremer, 2681 Broadway: R. relative to peace negotiations or any M. Nasley, 1 Madison avenue; V. J. other Government business, press mes- Vitelli, 71 Nassau street; W. R. Edsages and commercial messages, and wards, 30 Vermilyea avenue; Peter A. the seizing of said thirteen cables by Carroll, 295 East 161st street. the Government does not facilitate or better in the slightest degree the trans-mission of Government peace messages 235 Logan street; Frank E. Wellers-

#### or any other messages. Company Not Consulted.

"Your orator was not consulted as to the necessity or even advisability of said seizure of said cables, although your orator could have given more competent expert advice on that sub-Mackay, and in a statement issued by Mr. Ward as soon as he had heard cable affairs."

"In answer to your letter to me of that the national security and defence makes seizure of cable lines necessary. It asserts that national security was attained with the signing of the armi-"The seizure of said cables on th

the two cable companies than by an sary for the national security or deattempt to amalgamate two plants fence was and is a mere pretext withwhich have been operated separately out substance or basis of fact whatsoever," the complaint asserts. "Ever since the United States entered the Commercial Cable Company to-day present war the American ends of said has filed a bill in equity in the United marine cables of your orator have been Director of Naval Communications. tarded if no such amalgamation takes and nothing has been done by your Mr. Ward's statement was to the cable lines without the knowledge and

#### All Demands Met Promptly.

"A most rigid censorship was established by the Government over your half of the national security and de-"Moreover, the Commercial Cable fence have been promptly, fully and cheerfully complied with by your orator, notably a request on October 29.



smart roll front style.



GEO. RIDE & CO., Majers, TROY, M.Y.

COLLARS have - exclusively-Linocord Unbreshable Buttonholes your orator place at the disposal of that department and the President a special cable across the Atlantic so that there might be instantaneous communication between the Govern ment at Washington and its Ameri

can representatives at Paris."

The company declares that the power of fixing compensation vested in the President by Congress will be exercised by his Postmaster-General and adds: "The determination of your orator's compensation will thus be left to the arbitrary caprice and prejudiced mind of defendant, who is interested personally and officially in giving an unfair and unreasonably low, insufficient and inadequate comp tion to your orator, because the less for the Government to its profit at your orator's expense and to the personal renown of defendant; that for many years last past the defendant as Postmaster-General has advocated Government ownership of telegraphs and cables and that defendant is not an impartial tribunal to determine the compensation, operation, competition and policy of complainant in regard to its said system of marine cables."

#### Would Avoid Court of Claims.

The complainant asserts that its right to appeal to the Court of Claims from the awards of the Postmaster-General is an illusory one in the ab sence of provision for the setting aside of a sum sufficient to pay a judgment obtained in that court. Such a ludement would have to be paid by a Congressional appropriation, which annot be forced.

It cites a case in which one of the cables of a subsidiary was cut by a United States warship in 1907. The Court of Claims gave the company a judgment for \$35,000 in 1913. This judgment has not been paid.

The company cites facts connected with the seizure of the land lines of the Postal Telegraph system, with which it is intimately connected, in support of its contention that the proseeding directed against it threatens to be confiscatory, in violation of established principles of law. It is asserted that although the Postal complans for Government 1917, the Postmaster-General awarded it \$1,680,000 as compensation for seizmation of all cables in the Atlantic ure, this figure being 6 per cent. of Ocean. That defendant has called in \$28,00,000, the physical valuation of the plant made by a committee.

This compensation is alleged to have been fixed without a correct method of appraisal and without any allowance for earning power.

The complaint was filed late yes-terday afternoon. It asks that a subpoena issue to compel the Postmaster-General to appear to answer and show cause why a temporary injunction should not be issued against him on a day to be fixed by the court.

#### 100 OFFICERS ARE RELEASED AT UPTON

Many New York Men Receive Discharges.

Special Despatch to THE SUN. CAMP UPTON, Dec. 4 .- One hundred officers, the first to be released from the service here under the general de mobilization, received honorable dis-New York to Panama, thence New York, commander of the Second

Brooklyn-Lieuts, C. W. Bonner, lick, 112 Nicholls avenue; S. Traina, 236 Sackett street; Maxwell F. Law-ton, 2255 Eighty-third street; Milton S. Beck, 5617 Twelfth street.

### PORTO RICO ASKS AUTONOMY.

Memorial to President Wilson Submitted in Legislature.

San Juan, Porto Rico, Dec. 4 .-- A esolution was introduced in the lower House of the Legislature at a special session to-day requesting the United States to grant complete self-government to Porto Rico.

A memorial to President Wilson asking this boon also was put before the House. Both documents express the belief that the Porto Ricans have demonstrated their capacity for selfgovernment, a right which always has been denied them.

Woman Killed by Subway Train A woman believed to be Mrs. L. J. Tow of 29 Baker street, Schenectady, fell beneath an express train at the Eighty-sixth station in the Lexington avenue subway and was killed just after 6 o'clock last evening. The name was obtained from a department store sales slip found in the woman's handbag. Uptown traffic was tied up for half an hour before the body could be removed.



## **Dobbs Hats** Fifth Avenue near 50th st near 28th st

Fur coats of unusual smartness. Hats, caps, canes, umbrella sets, gloves, English coats. Dobbs Furs for women

#### 1918, by the State Department that HARVARD PRESIDENT RISKED LIFE FOR DOG Dr. Lowell Fought Bull to Save His Pet Pup.

Special Desputch to Tain BUN CAMBRIDGE, Mass., Dec. 4-All Harvard University is talking of President Lowell's risking his life to rescue his pet spaniel Goblin from an angry bull. story has just become public as the result of explanations accounting for the appearance of a successor to Goblin as Dr. Lowell's pal. President Lowell was striding through Boylston street with the pup when a herd of

pup escaped the first rush. Then President Lowell went into action. Shouting to engage the bull's attention he struck the animal on the nose with his walking stick as fast as he could wield the cane. Mr. Bull, snort-ing, backed into the herd and the pup vas safe.

Goblin, who went everywhere with Dr. Lowell, even intruding into faculty meetings, was run over by an auto mobile last summer. Recently Dr. Lowell decided to get another spaniel. So Phantom, as he calls the new dog, is learning President Lowell's route.

France Demobilizes Reserves. Paris, Dec. 4 .- The Government has cattle bound to the stock yards in taken all necessary measures to in-Erigton passed. A bull edged out of sure the demobilization of all classes of the herd and before the herders could the territorial reserves before the end interfere rushed at the spaniel. The of February, according to L'Œuvre.

#### FOOD

of good quality, not eaten, is wasted. An unpalatable dish is rejected. A tasteless dish makes an expensive meal. Hundreds of dishes can be made enjoyable by the use of the celebrated

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#### AMUSEMENTS.

METROPOLITAN GPERA To-night at 8-15 Manon Lescaut. Alda Perini: Martinelli Montesanto Securola, Cd.Papi.
Fri. at 8:15. Tosca. Muzio: Crimi, Scotti.
Malatesta, Rosal. Cord. Morapron.
Bat. Mat. at 2. Marts. Hempel. Homer: Caruso, Didur. Malatesta. Cond. Bodansky.
Sun. Eve. 8:30, 50c to \$2. Verdi-Puccini
Night. Braalau, Easton. Homaine. Sparkes;
Chaimers. Diaz. Kingston, Mardones. Orch.
Cond. Papl. Cond. Papl.

Nexi Mon. at 8:15. Butterfly. Farrar Fordia;
Martinelli Chalmers. Cond. Moransoni.
Wed. at 8. H. Trovatore. Murio, Homes
Martinelli, De Luca, Rothier. Cond. Papl.
Thurs. at 8:15. L'Elistr d'Amore. Hempel
Sparkes; Caruso, Scotti, Maistesta. Cond. Papl.

GALA PERFORMANCE SATURDAY EVE., DEC. 14, AT 8, World Premiere PUCCINI'S Three New Operas Public Sale Begins To-day 9 A. M. HARDMAN PIANO USED.

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# Y. SYMPHONY WALTER DAMROSCH, Cond'r Acolian Hall, Sun. Aft., Dec. 8, at 8.

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